

**REMARKS**

Applicant has amended claims 1, 3, 4, 5, 9, 11, 16, 18, 19, and 24, and added claims 28 to 32.

**Claim Objection**

The Examiner objected to claim 19 for reciting "a second type of data transfer" because there is not a first type of data transfer. Claim 19 depends from claim 18, which Applicant has amended to recite "a first type of data transfer." Accordingly, Applicant requests the Examiner to withdraw the claim objection.

**§ 112 Rejection**

The Examiner rejected claim 24 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Application has amended claim 24 to recite "wherein the computer-memory complex of the node is not burdened with temporarily storing data being transferred through the node in the computer-memory complex." This is supported by the Specification, p. 9, lines 12 to 25. Accordingly, Applicant requests the Examiner to withdraw the § 112 claim rejection.

**§ 102 Rejections**

The Examiner rejected claims 1 and 3 to 16 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,026,464 ("Cohen"). Specifically, the Examiner rejected original claim 1 as follows:

Regarding claim 1, Cohen discloses a node controller (Figure 1, 18) for a data storage system having at least one node for providing access to a data storage facility (Figure 1, 30), the node controller distinct from a computer-memory complex, the node controller providing overall control for transferring data through the node. ...

6/3/04 Office Action, p. 3, paragraph 7.

Amended claim 1 recites a "node controller being distinct from a computer-memory complex of the node." Claim 1. In one embodiment of the invention shown in Fig. 2, the computer-memory complex includes CPUs 30a and 30b, a main controller 24, and a system memory 32. Although not explicitly shown, one skilled in the art recognizes that main controller 24 (e.g., a Northbridge chipset)

includes a memory controller that interfaces CPUs 30a and 30b with system memory 32. For example, see the TechWeb definition of the Northbridge submitted along with this Amendment.

The Examiner has identified memory controller 18 of Cohen as the node controller. However, CPU 16, memory controller 18, and memory subsystem 20 of Cohen correspond to CPUs 30a and 30b, the memory controller in main controller 24, and system memory 32 of the present disclosure. Thus, Cohen does not disclose any element that corresponds to a node controller. Accordingly, claim 1 is patentable over Cohen for at least reciting "the node controller being distinct from a computer-memory complex of the node." Claim 1.

Claims 3 to 8 depend from claim 1 and are patentable over Cohen for at least the same reasons as claim 1.

Claim 9 recites a "node controller being distinct from a computer-memory complex of the node" and therefore is patentable over Cohen for at least the same reasons as claim 1. Claim 9.

Claims 10 to 16 depend from claim 9 and are patentable over Cohen for at least the same reasons as claim 9.

#### § 103 Rejections

The Examiner rejected claims 18 to 27 under 35 U.S.C. § 103(a) as being unpatentable over Cohen in view of U.S. Patent No. 5,959,860 ("Styczinski"). Applicant respectfully traverses.

Claim 18 recites a "node controller" and a "computer-memory complex," which are not disclosed by either Cohen or Styczinski. Claim 18. Accordingly, claim 18 is patentable over the combination of Cohen and Styczinski.

Claims 19 to 27 depend from claim 18 and are patentable over the cited references for at least the same reasons as claim 18.


#### New claims

New claim 28 depends from claim 1 and is patentable over the cited references for at least the same reasons as claim 1.

New claim 29 recites a "node controller being distinct from a computer-memory complex." Claim 29. Accordingly, claim 29 is patentable over the cited references for at least the same reasons as claims 1 and 18.

New claims 30 to 32 depend from claim 29 and are patentable over the cited references for at least the same reasons as claim 29.

In summary, claims 1, 3 to 16, 17 to 27 were pending in the above-identified application when last examined. This Amendment amends claims 1, 3, 4, 5, 9, 11, 16, 18, 19, and 24, and adds claims 28 to 32. For the above reasons, Applicant respectfully requests the Examiner with withdraw the claim rejections and allow claims 1, 3 to 16, 17 to 32. Should the Examiner have any questions, please call the undersigned at (408) 382-0480x206.

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Respectfully submitted,



David C. Hsia  
Attorney for Applicant(s)  
Reg. No. 46,235